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February 27, 1997

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Federal Communications Commission  
Office of Secretary

**BY HAND DELIVERY**

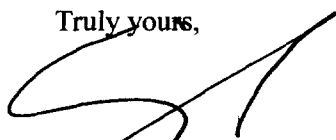
William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Ex Parte Filing in MM Docket No. 87-268

Dear Mr. Caton:

This letter is to advise you that Alan Bell, John Janka and myself, on behalf of Freedom Communications, Inc., met with Roy Stewart, Keith Larson and Saul Shapiro on February 25, 1997 to discuss matters involved in Freedom's comments in the above-captioned proceeding. I have attached a copy of the materials that were distributed at the meeting. Pursuant to Section 1.1206(a)(2) of the Commission's Rules, two copies of this letter have been filed with the Secretary. Please contact the undersigned if there are any questions regarding this matter.

Truly yours,



Susan E. McNeil\*  
of LATHAM & WATKINS

\*Admitted in Maryland only.  
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# **Freedom Communications, Inc.**

**Presentation to the FCC  
on  
Advanced Television Implementation**

**February 25, 1997**



# Television

“Television is the literature of the illiterate, the culture of the low-brow, the wealth of the poor, the privilege of the underprivileged, the exclusive club of the excluded masses.”

We have the TV system we have because the Congress, the FCC, the broadcasters -- and the voters -- believe in free TV universally receivable by anyone who has the price of a set, anyone who wants to join the “club of the excluded masses.”

Freedom strongly supports that idea.  
(That's why we're called Freedom  
and not something else.)

But, our Channel 6 in Providence has never been easily received in all parts of its market. Even if you wanted to join the club, you'd have a problem -- an Antenna Orientation Problem, or AOP for short, which at last can be solved in the transition to ATV.

**We'll come to that (count on it!),  
but first a word from our sponsor.**



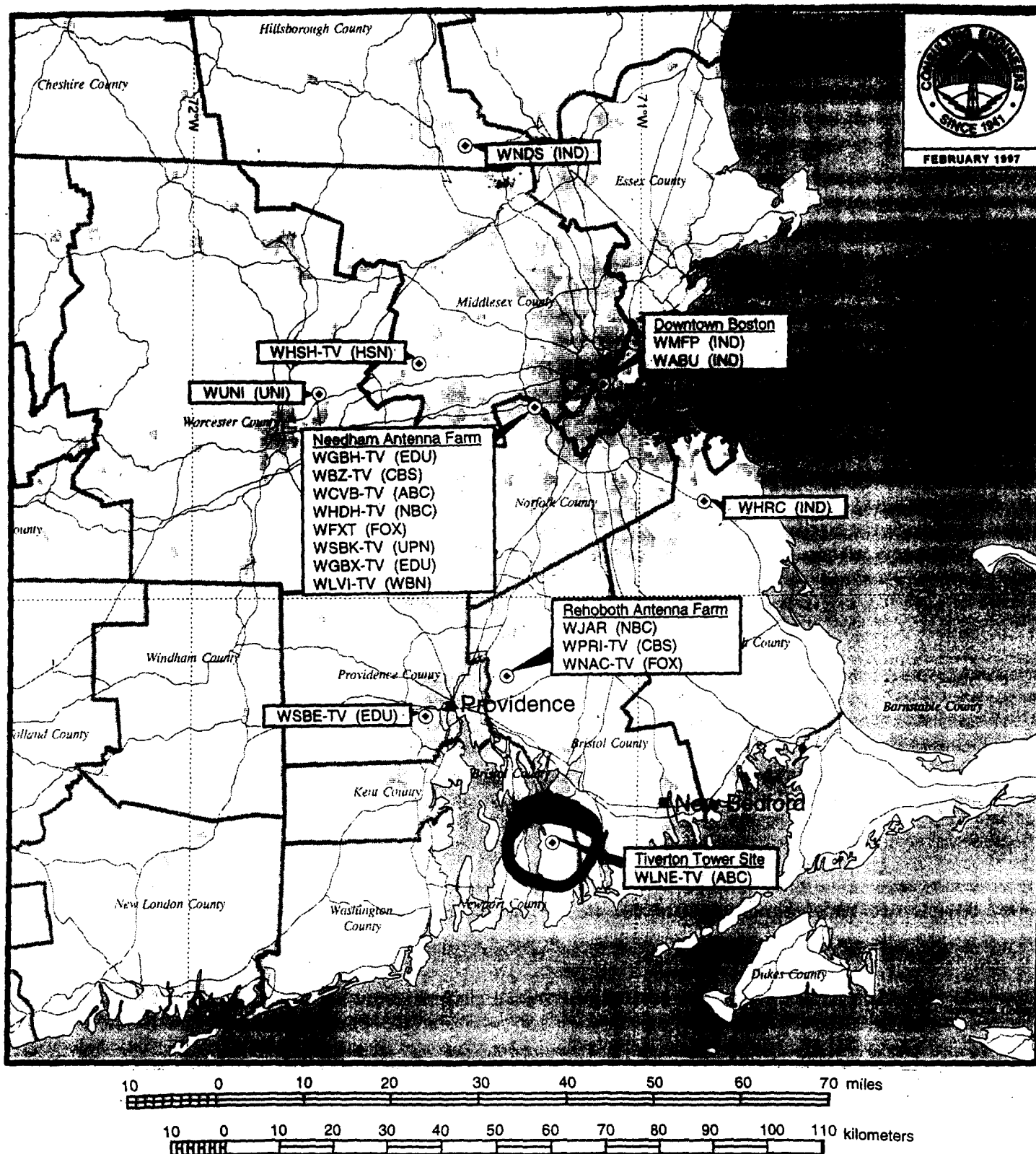
# Freedom Background

- Owns six VHF network stations in mid-size to small markets:
  - WLNE(TV) - Providence/New Bedford, MA (ABC)
  - WPEC(TV) - West Palm Beach, FL (CBS)
  - WRGB(TV) - Albany/Schenectady/Troy, NY (CBS)
  - WTVN(TV) - Chattanooga, TN (ABC)
  - KFDM(TV) - Beaumont/Port Arthur, TX (CBS)
  - KTVL(TV) - Medford, OR (CBS)
- Owns local newspapers and magazines throughout the country.

# WLNE'S Problem

- In the early 1960's, only two network television stations served the Providence/New Bedford market.
- To bring an ABC signal to the market, the Commission "shoehorned" WLNE in at Tiverton, Rhode Island, 20 miles from the antenna farm where virtually all other stations in the market are located.
- WLNE has a disadvantaged transmitter site compared to the other off-air VHF television stations in the market.
- WLNE's viewers have a significant antenna orientation problem ("AOP") and therefore receive an inferior WLNE signal.

When you look at the map,  
you can see what happens  
when viewers aim their  
antennas at the Providence  
antenna tower. (They aim at  
Providence, but also get  
Boston.)



# **PRIMARY BROADCAST TV TRANSMITTER SITES IN PROVIDENCE-NEW BEDFORD-BOSTON AREA**

**FREEDOM COMMUNICATIONS, INC.**

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

WLNE-TV's site creates a major AOP on the wrong side of home antennas -- but now, for the first time in over five decades, there is a way ...

# Impact of ATV Allotment

- **The Commission's proposed allotment table appears to accommodate a move of WLNE's transmitter to the Rehoboth site where other market stations are located.**
- **WLNE could use proposed Channel 49 at Rehoboth without causing increased interference to other stations.**
  - Interference actually would decrease for certain stations.
  - Presently anticipated pockets of interference may shift, but not increase in size.
  - Engineering solutions (such as directional antennas) could be used to mitigate one possible increase in predicated interference.
- **The Broadcasters' Caucus does not provide such flexibility.**
  - Their "wait and see" approach would effectively foreclose such accommodation because the plan significantly restricts future modifications.

# Conclusion

- Any ATV allotment plan must include flexibility to accommodate significant problems, like WLNE's.
- ATV service rules must not unduly constrain the ability to modify allotments to address market-specific problems.
- WLNE's ATV channel should be located with everybody else at Rehoboth.